

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Linda K. Heaston, :
 :
 Plaintiff, :
 :
 v. : Case No. 2:15-CV-2849
 :
 A&R Logistics, Inc., et al, : JUDGE ALGENON L. MARBLEY
 : Magistrate Judge Kemp
 Defendants. :

ORDER

The Court, at a status conference held on October 5, 2016, addressing the issues remaining from the earlier motion to compel, ordered that:

(1) Defendants produce the remaining sixty days of driver logs;

(2) Defendants produce, within thirty days, the documents requested by Plaintiff which are contained in a group of records previously provided by Defendants to the EPA; and

(3) Defendants obtain, within thirty days, by subpoena or otherwise, the repair records which are currently in the possession of a non-party repair shop, and produce those records to Plaintiff.

Given that these orders appear to have resolved all issues raised in the motion to compel (Doc. 19), that motion is denied as moot. Plaintiff may, however, seek to raise a spoliation issue by way of a motion for leave to amend, and the parties are still discussing the parameters of the two Rule 35 evaluations requested by Defendants.

/s/ Terence P. Kemp
United States Magistrate Judge